

Article - Estates and Trusts

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§7–403.

(a) If the exercise of power concerning the estate is improper, the personal representative is liable for breach of the fiduciary duty of the personal representative to interested persons for resulting damage or loss to the same extent as a trustee of an express trust.

(b) The exercise of power of a personal representative in violation of a court order, or contrary to the provisions of the will may be a breach of duty.

(c) The rights of purchasers and others dealing with a personal representative are determined as provided in § 7–404 of this subtitle and are not necessarily affected by the fact that the personal representative breached the fiduciary duty of the personal representative in the transaction.

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